



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): PATENAUD, Francois, et al.

For: METHOD AND APPARATUS FOR NOISE FLOOR LEVEL ESTIMATION

Serial No.: 09/503,834

Group Art Unit: 2863

Filed: 02/15/2000

Examiner: PRETLOW, D. R.

Atty Ref: Borden P11US0

#171 Response
around
11/18/03

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RESPONSE TO OFFICE ACTION

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Office Action dated April 29, 2003, in the above-noted application, Applicants respectfully submit the following remarks:

REMARKS

Claims 1 – 39 were in the application as originally filed. Claims 1 and 23 are independent, while the remaining claims are directly or indirectly dependent from claims 1 or 23. Claims 1 and 23 have been rejected under 35 U.S.C. §102(e) as being anticipated by the U.S. Patent to Higgins et al. 6,266,633. Claims 2 – 7 and 24 - 29 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Higgins et al. in view of the U.S. Patent to Kleider et al. 6,240,282 and the U.S. Patent to Fry 5,465,097. Claims 8 – 22 and 30 – 39 have been objected to as being dependent upon a rejected base claim, but

10-31-03

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Applicant[s]: PATENAUD, Francois and DUFOUR, Martial
 For: METHOD AND APPARATUS FOR NOISE FLOOR ESTIMATION
 Serial No.: 09/503,834 Filed: 02/15/2000
 Examiner: PRETLOW, Demetrius R. Group Art Unit: 2863
 Atty Docket: Borden P11US0

Assistant Commissioner for Patents
 Washington, D.C. 20231

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Sir:

I hereby certify that this paper, preliminary amendment and fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

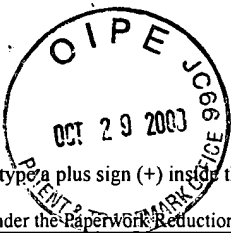
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Dated: 10/29/03

Charles A. Vondett

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| TRANSMITTAL FORM (to be used for all correspondence after initial filing) | Application Number | 09/503,834 | |
| | Filing Date | February 15, 2000 | |
| | First Named Inventor | PATENAUD, Francois | |
| | Group Art Unit | 2863 | |
| | Examiner Name | PRETLOW, Demetrius R. | |
| Total Number of Pages in This Submission | | Attorney Docket Number | Borden P11US0 |

| ENCLOSURES (check all that apply) | | |
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | |
|--|--|
| Firm or Individual Name | VARNUM, RIDDERING, SCHMIDT & HOWLETT LLP THOMAS L. LOCKHART |
| Signature | |
| Date | 10/29/03 |

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| Typed or printed name | Charlene A. Vondett | | |
| Signature | | Date | 10/29/03 |

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